UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/RES/53/131
23 February 1999

Fifty-third session
Agenda item 108

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[*on the report of the Third Committee (A/53/623)*]

53/131. International Convention on the Elimination of All Forms of Racial Discrimination

The General Assembly,

Recalling its previous resolutions concerning the reports of the Committee on the Elimination of Racial Discrimination and its resolutions on the status of the International Convention on the Elimination of All Forms of Racial Discrimination,[1] most recently resolutions 51/80 of 12 December 1996 and 52/110 of 12 December 1997,

Bearing in mind the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[2] in particular section II.B of the Declaration, relating to equality, dignity and tolerance,

Reiterating the need to intensify the struggle to eliminate all forms of racial discrimination throughout the world, especially its most brutal forms,

Recalling its resolution 52/111 of 12 December 1997, in which it decided to convene a World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance no later than the year 2001,

---

[1] Resolution 2106 A (XX), annex.

[2] A/CONF.157/24 (Part I), chap. III.

Taking note of Commission on Human Rights resolution 1998/26 of 17 April 1998 on racism, racial discrimination, xenophobia and related intolerance,[3] and of agreed conclusions 1998/2 on the coordinated follow-up to and implementation of the Vienna Declaration and Programme of Action,[4] adopted by the Economic and Social Council on 28 July 1998,

Reiterating the importance of the Convention, which is one of the most widely accepted human rights instruments adopted under the auspices of the United Nations,

Mindful of the importance of the contributions of the Committee to the effective implementation of the Convention and to the efforts of the United Nations to combat racism and all other forms of discrimination based on race, colour, descent or national or ethnic origin,

Noting that the reports submitted by States parties under the Convention contain, *inter alia*, information about the causes of, as well as measures to combat, contemporary forms of racism, racial discrimination, xenophobia and related intolerance,

Calling upon States that have not yet become parties to the Convention to ratify it or accede thereto,

Emphasizing the obligation of all States parties to the Convention to take legislative, judicial and other measures in order to secure full implementation of the provisions of the Convention,

Recalling its resolution 47/111 of 16 December 1992, in which it welcomed the decision, taken on 15 January 1992 by the Fourteenth Meeting of States Parties to the International Convention on the Elimination of All Forms of Racial Discrimination,[5] to amend paragraph 6 of article 8 of the Convention and to add a new paragraph, as paragraph 7 of article 8, with a view to providing for the financing of the Committee from the regular budget of the United Nations, and reiterating its deep concern that the amendment to the Convention has not yet entered into force,

Stressing the importance of enabling the Committee to function smoothly and to have all necessary facilities for the effective performance of its functions under the Convention,

Recalling the provisions of paragraph 4 of article 10 of the Convention regarding the location of the meetings of the Committee and the provisions of paragraph 1 of article 8 regarding the composition of the Committee,

---

[3] See *Official Records of the Economic and Social Council, 1998, Supplement No. 3* (E/1998/23), chap. II, sect. A.

[4] See *Official Records of the General Assembly, Fifty-third Session, Supplement No. 3* and corrigendum (A/53/3 and Corr.1), chap. VI, para. 3.

[5] See CERD/SP/45, annex.

I

REPORT OF THE COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION

1. *Takes note* of the report of the Committee on the Elimination of Racial Discrimination on its fifty-second and fifty-third sessions;[6]

2. *Commends* the Committee for its work with regard to the implementation of the International Convention on the Elimination of All Forms of Racial Discrimination,[1] especially the examination of reports under article 9 and action on communications under article 14 of the Convention;

3. *Calls upon* States parties to fulfil their obligation, under paragraph 1 of article 9 of the Convention, to submit their periodic reports on measures taken to implement the Convention in due time;

4. *Expresses its concern* at the fact that a great number of reports are overdue and continue to be overdue, in particular initial reports, which constitutes an obstacle to the full implementation of the Convention, and encourages the Secretariat to extend technical assistance to those States whose reports are seriously overdue, upon their request, in the preparation of the reports;

5. *Commends* the Committee on its continuing efforts to contribute to the effective implementation of the Convention, and notes its continuing efforts to improve its working methods;

6. *Also commends* the Committee for its continuing contribution to the prevention of racial discrimination, and welcomes its relevant action thereon;

7. *Encourages* the Committee to continue to contribute fully to the implementation of the Third Decade to Combat Racism and Racial Discrimination and its revised Programme of Action,[7] including by continuing to collaborate with the Subcommission on Prevention of Discrimination and Protection of Minorities of the Commission on Human Rights, as well as by cooperating, as appropriate, with the Special Rapporteur of the Commission on contemporary forms of racism, racial discrimination, xenophobia and related intolerance;

8. *Welcomes and encourages* the cooperation and exchange of information between the Committee and relevant structures and mechanisms of the United Nations, including the Office of the United Nations High Commissioner for Human Rights, as well as with the General Assembly and the States parties to the Convention;

9. *Takes note* of the initial suggestions made by the Committee regarding the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, and invites the Committee to give high priority to the preparatory process for the World Conference, to present to the Commission on Human Rights, which will act as the preparatory committee for the Conference, its contribution to the objectives of the Conference, including the undertaking of a series of studies, and to participate actively in the preparatory process and at the Conference itself;

---

[6] *Official Records of the General Assembly, Fifty-third Session, Supplement No. 18* (A/53/18).

[7] Resolution 49/146, annex.

10. *Also takes note* of Committee decisions 7 (53) and 8 (53) of 19 August 1998[8] regarding organizational matters, authorizes the Secretary-General to extend, on a temporary basis, the 1999 and 2000 summer sessions of the Committee by five working days, and decides to consider the two decisions further at its fifty-fifth session;

II

FINANCIAL SITUATION OF THE COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION

11. *Takes note* of the report of the Secretary-General on the financial situation of the Committee on the Elimination of Racial Discrimination;[9]

12. *Expresses its profound concern* about the fact that a number of States parties to the International Convention on the Elimination of All Forms of Racial Discrimination have still not fulfilled their financial obligations, as shown in the report of the Secretary-General, and strongly appeals to all States parties that are in arrears to fulfil their outstanding financial obligations under paragraph 6 of article 8 of the Convention;

13. *Strongly urges* States parties to the Convention to accelerate their domestic ratification procedures with regard to the amendment to the Convention concerning the financing of the Committee and to notify the Secretary-General expeditiously in writing of their agreement to the amendment, as decided upon at the Fourteenth Meeting of States Parties to the International Convention on the Elimination of All Forms of Racial Discrimination on 15 January 1992,[5] endorsed by the General Assembly in its resolution 47/111 of 16 December 1992 and further reiterated at the Sixteenth Meeting of States Parties on 16 January 1996;

14. *Requests* the Secretary-General to continue to ensure adequate financial arrangements and appropriate means and to provide the necessary support, including an adequate level of Secretariat assistance, in order to ensure the functioning of the Committee and to enable it to cope with its increasing amount of work;

15. *Also requests* the Secretary-General to invite those States parties to the Convention that are in arrears to pay the amounts in arrears and to report thereon to the General Assembly at its fifty-fifth session;

---

[8] See *Official Records of the General Assembly, Fifty-third Session, Supplement No. 18* (A/53/18), chap. I, sect. F, para. 14.

[9] A/53/255.

III

STATUS OF THE INTERNATIONAL CONVENTION ON THE ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION

16. *Takes note* of the report of the Secretary-General on the status of the International Convention on the Elimination of All Forms of Racial Discrimination;[10]

17. *Expresses its satisfaction* at the number of States that have ratified the Convention or acceded thereto;

18. *Reaffirms once again its conviction* that ratification of or accession to the Convention on a universal basis and the implementation of its provisions are necessary for the realization of the objectives of the Third Decade to Combat Racism and Racial Discrimination and for action beyond the Decade;

19. *Urges* all States that have not yet become parties to the Convention to ratify it or accede thereto;

20. *Urges* States to limit the extent of any reservation they lodge to the Convention and to formulate any reservation as precisely and as narrowly as possible in order to ensure that no reservation is incompatible with the objective and purpose of the Convention or otherwise contrary to international treaty law, to review their reservations regularly with a view to withdrawing them and to withdraw reservations that are contrary to the objective and purpose of the Convention or that are otherwise incompatible with international treaty law;

21. *Requests* the States parties to the Convention that have not yet done so to consider the possibility of making the declaration provided for in article 14 of the Convention;

22. *Decides* to consider at its fifty-fifth session, under the item entitled "Elimination of racism and racial discrimination", the reports of the Committee on the Elimination of Racial Discrimination and the reports of the Secretary-General on the financial situation of the Committee and the status of the Convention.

85th plenary meeting
9 December 1998

---

[10] A/53/256.

Education, adopted by the United Nations Educational, Scientific and Cultural Organization on 14 December 1960,[3]

Noting the efforts of the Committee on the Elimination of Racial Discrimination since its establishment in 1970 to promote the implementation of the International Convention on the Elimination of All Forms of Racial Discrimination,

Recalling the outcome of the two World Conferences to Combat Racism and Racial Discrimination, held at Geneva in 1978[4] and in 1983,[5]

Recalling also the outcome of the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993, and, in particular, the attention given in the Vienna Declaration and Programme of Action[6] to the elimination of racism, racial discrimination, xenophobia and other forms of intolerance,

Stressing the importance and sensitivity of the activities of the Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance,

Recalling its resolutions 48/91 of 20 December 1993 and 49/146 of 23 December 1994, by which, respectively, it proclaimed the Third Decade to Combat Racism and Racial Discrimination and adopted the revised Programme of Action for the Third Decade to Combat Racism and Racial Discrimination,

Noting with grave concern, that, despite the efforts of the international community, the principal objectives of the two previous Decades for Action to Combat Racism and Racial Discrimination have not been attained and that millions of human beings continue to this day to be the victims of varied forms of racism and racial discrimination,

Noting with great concern that, despite the efforts undertaken by the international community at various levels, racism, racial discrimination, xenophobia and related forms of intolerance, ethnic antagonism and acts of violence are showing signs of increase,

Recognizing both the challenges and the opportunities in combating racism, racial discrimination, xenophobia and related intolerance in an increasingly globalized world,

Noting with concern that racism, racial discrimination, xenophobia and related intolerance may be aggravated by, *inter alia*, inequitable distribution of wealth, marginalization and social exclusion,

---

[3] United Nations, *Treaty Series*, vol. 429, No. 6193.

[4] See *Report of the World Conference to Combat Racism and Racial Discrimination, Geneva, 14-25 August 1978* (United Nations publication, Sales No. E.79.XIV.2).

[5] See *Report of the second World Conference to Combat Racism and Racial Discrimination, Geneva, 1-12 August 1983* (United Nations publication, Sales No. E.83.XIV.4 and corrigendum).

[6] A/CONF.157/24 (Part I), chap. III.

Noting with concern also that the dissemination of racist and xenophobic propaganda is also being channelled through new communication technologies, including such computer networks as the Internet,

Having considered the report submitted by the Secretary-General[7] within the framework of the implementation of the Programme of Action,

Firmly convinced of the need to take more effective and sustained measures at the national and international levels for the elimination of all forms of racism and racial discrimination,

Recognizing the importance of strengthening national legislation and institutions for the promotion of racial harmony and for the effective enforcement of such legislation,

Deeply concerned about the fact that the phenomenon of racism and racial discrimination against migrant workers continues to increase despite efforts undertaken by the international community to improve the protection of the human rights of migrant workers and members of their families,

Recalling the adoption at its forty-fifth session of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families,[8]

Acknowledging that indigenous people are at times victims of particular forms of racism and racial discrimination,

I

IMPLEMENTATION OF THE PROGRAMME OF ACTION FOR THE THIRD DECADE TO COMBAT RACISM AND RACIAL DISCRIMINATION AND COORDINATION OF ACTIVITIES

1. *Declares* that racism and racial discrimination are among the most serious violations of human rights in the contemporary world, and expresses its firm determination and its commitment to eradicate, by all available means, racism, in all its forms, and racial discrimination;

2. *Takes note* of the report of the Secretary-General on the implementation of the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination,[7] and regrets that the detailed report on the financial and personnel resources required for the implementation of the Programme of Action, requested for presentation to the General Assembly at its fifty-second and fifty-third sessions, was not presented;

3. *Urges* all Governments to take all necessary measures to combat new forms of racism, in particular by constantly adapting the means provided to combat them, especially in the legislative, administrative, educational and information fields;

4. *Requests* the United Nations High Commissioner for Human Rights to accord a high priority to the follow-up to programmes and activities for combating racism and racial discrimination consistent

---

[7] A/53/305.

[8] Resolution 45/158, annex.

with the need to ensure the effective preparation of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance;

5. *Requests* the Secretary-General to continue to accord special attention to the situation of migrant workers and members of their families and to include regularly in his reports all information on such workers;

6. *Calls upon* all Member States to consider signing and ratifying or acceding to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families[8] as a matter of priority;

7. *Commends* all States that have ratified or acceded to the international instruments to combat racism and racial discrimination, especially the International Convention on the Elimination of All Forms of Racial Discrimination[2] and the Convention against Discrimination in Education;[3]

8. *Urges* States to limit the extent of any reservation they lodge to the International Convention on the Elimination of All Forms of Racial Discrimination, to formulate any reservation as precisely and as narrowly as possible, to ensure that no reservations are incompatible with the objective and purpose of the Convention or otherwise contrary to international treaty law, to review their reservations regularly with a view to withdrawing them and to withdraw reservations that are contrary to the objective and purpose of the Convention or that are otherwise incompatible with international treaty law;

9. *Encourages* the mass media to promote ideas of non-discrimination, respect, tolerance and understanding among peoples and between different cultures;

10. *Affirms* its determination to combat violence stemming from intolerance on the basis of ethnicity, which it considers an issue of particular gravity;

11. *Requests* the Secretary-General to continue the study on the effects of racial discrimination on the children of minorities and those of migrant workers in the fields of education, training and employment and to submit, *inter alia*, specific recommendations for the implementation of measures to combat the effects of that discrimination;

12. *Regrets* the continued lack of interest, support and financial resources for the Third Decade and its related Programme of Action, reflected in the fact that very few of the activities planned for the period 1994-1998 were carried out;

13. *Also regrets* that the contributions made by the international community to the Trust Fund for the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination remain below the level required, and once again requests the Secretary-General to include in his report to the General Assembly at its fifty-fourth session concrete proposals on how to ensure the financial and personnel resources required for the implementation of the Programme of Action, including through the United Nations regular budget and extrabudgetary sources;

14. *Welcomes* the convening, at Geneva from 10 to 14 November 1997, of a seminar on the role of the Internet with regard to the provisions of the International Convention on the Elimination of All

Forms of Racial Discrimination,[9] and invites the Commission on Human Rights to consider its recommendations for responsible use of the Internet;

15. *Recalls* its repeated appeals and those of the Economic and Social Council for the establishment of a mechanism within the Office of the United Nations High Commissioner for Human Rights to serve as a focal point for coordinating all the activities of the Third Decade, welcomes the formation of a racism project team, and requests the High Commissioner to continue to work towards full establishment of such a mechanism;

16. *Urges* the Secretary-General, United Nations bodies, the specialized agencies, all Governments, intergovernmental organizations and relevant non-governmental organizations, in implementing the Programme of Action, to pay particular attention to the situation of indigenous people;

17. *Requests* States and international organizations to consider the relevant decisions of the Economic and Social Council on the integrated follow-up to previous world conferences and the need to make optimum use of all available mechanisms in the struggle against racism;

18. *Strongly underlines* the importance of education as a significant means of preventing and eradicating racism and racial discrimination and of creating an awareness of principles of human rights, particularly among young people, and, in this regard, renews its invitation to the United Nations Educational, Scientific and Cultural Organization to expedite the preparation of teaching materials and teaching aids to promote teaching, training and educational activities on human rights and against racism and racial discrimination, with particular emphasis on activities at the primary and secondary levels of education;

19. *Considers* that all parts of the Programme of Action should be given equal attention in order to attain the objectives of the Third Decade;

20. *Commends* the efforts by donors that have made contributions to the Trust Fund, but notes that these contributions are not sufficient to meet the objectives of the Third Decade;

21. *Requests* the Secretary-General to accord high priority to the activities of the Programme of Action, and, in this regard, also requests the Secretary-General to ensure that the necessary financial resources are provided for the implementation of the activities of the Third Decade during the biennium 1998-1999;

22. *Also requests* the Secretary-General, while programming the regular budget for the biennium 2000-2001, to make provision for financing the activities of the Programme of Action from the United Nations regular budget as a vital contribution to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance;

23. *Further requests* the Secretary-General to submit each year to the Economic and Social Council a detailed report on all activities of United Nations bodies and the specialized agencies, containing an analysis of information received on such activities to combat racism and racial discrimination;

---

[9] E/CN.4/1998/77/Add.2.

24. *Invites* the Secretary-General to submit proposals to the General Assembly with a view to supplementing, if necessary, the Programme of Action;

25. *Warmly calls upon* all Governments, United Nations bodies, the specialized agencies and intergovernmental organizations, regional organizations and interested non-governmental organizations to contribute fully to the effective implementation of the Programme of Action;

26. *Strongly appeals* to all Governments, intergovernmental and non-governmental organizations and individuals in a position to do so to contribute generously to the Trust Fund, and, to this end, requests the Secretary-General to continue to undertake appropriate contacts and initiatives to encourage contributions;

II

WORLD CONFERENCE AGAINST RACISM, RACIAL DISCRIMINATION, XENOPHOBIA AND RELATED INTOLERANCE

27. *Reaffirms* the decisions adopted in its resolution 52/111 of 12 December 1997 related to the convening, the definition of objectives and the guidelines for the preparatory process of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance;

28. *Takes note* of Commission on Human Rights resolution 1998/26 of 17 April 1998,[10] in which the Commission decided to create an open-ended working group to meet during its fifty-fifth session in order to review and formulate proposals for consideration by the Commission and possible forwarding to the Preparatory Committee for the World Conference at its first session;

29. *Requests* the Secretary-General:

(*a*) To present a comprehensive report to the General Assembly at both its fifty-fourth and fifty-fifth sessions on the progress achieved in the preparatory process of the World Conference;

(*b*) To submit to the General Assembly at its fifty-sixth session a report encompassing the final outcome of the World Conference;

(*c*) To designate the United Nations High Commissioner for Human Rights as Secretary-General of the World Conference, who, in that capacity, will assume the main responsibility for the preparations for the Conference;

(*d*) To consider providing the necessary financial and technical assistance for the convening of regional preparatory meetings;

30. *Requests* the High Commissioner:

---

[10] See *Official Records of the Economic and Social Council, 1998, Supplement No. 3* (E/1998/23), chap. II, sect. A.

(*a*) To carry out consultations with States aimed at determining the date and venue for the World Conference and to report to the Commission on Human Rights at its fifty-fifth session on the results thereof;

(*b*) To continue to devise and implement, with the Department of Public Information of the Secretariat, a world information campaign aimed at sensitizing public opinion to the importance and the objectives of the World Conference, to publish in all the official languages of the United Nations an information pamphlet to be made available to non-governmental organizations, the media and the general public and to inform the Preparatory Committee of developments in this regard;

31. *Requests* the Commission on Human Rights to present, through the Economic and Social Council, before the end of the fifty-third session of the General Assembly, a concrete proposal on the date and venue of the World Conference;

32. *Invites* States and regional organizations to set up at the national or regional level a coordination structure responsible for launching and promoting preparations for the World Conference, and especially for sensitizing national public opinion to the importance and the objectives of the Conference;

33. *Urges* the High Commissioner to help States, upon request, and regional organizations to convene national and regional meetings or to undertake other initiatives, including at the expert level, to prepare for the World Conference;

34. *Requests* the regional preparatory meetings to present to the Preparatory Committee, through the High Commissioner, reports on the results of their deliberations, with concrete and pragmatic recommendations aimed at combating racism, racial discrimination, xenophobia and related intolerance, which will be duly reflected in the texts of the draft final documents of the World Conference, to be prepared by the Committee;

35. *Requests*, in accordance with Commission on Human Rights resolution 1998/26, Governments, the specialized agencies, other international organizations, concerned United Nations bodies, regional and non-governmental organizations, the Committee on the Elimination of Racial Discrimination, the Subcommission on Prevention of Discrimination and Protection of Minorities of the Commission on Human Rights, the Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance and other human rights mechanisms to participate actively both in the preparatory process of the World Conference, including by assisting the Preparatory Committee, again in accordance with Commission resolution 1998/26, by, *inter alia*, undertaking reviews and studies and submitting recommendations concerning the Conference and the preparations therefor, through the Secretary-General, to the Preparatory Committee, and in the Conference itself;

36. *Stresses* the importance of systematically taking a gender perspective into account throughout the preparations for and in the outcome of the World Conference;

III

PROCLAMATION OF THE YEAR 2001 AS THE INTERNATIONAL YEAR OF MOBILIZATION AGAINST RACISM, RACIAL DISCRIMINATION, XENOPHOBIA AND RELATED INTOLERANCE

37. *Decides* to observe the year 2001 as the International Year of Mobilization against Racism, Racial Discrimination, Xenophobia and Related Intolerance, aimed at drawing the world's attention to the objectives of the World Conference and giving new momentum to the political commitment to the elimination of all forms of racism, racial discrimination, xenophobia and related intolerance;

IV

GENERAL

38. *Also decides* to keep the item entitled "Elimination of racism and racial discrimination" on its agenda and to consider it as a matter of high priority at its fifty-fourth session.

85th plenary meeting
9 December 1998

UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/RES/53/133
1 March 1999

Fifty-third session
Agenda item 108

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/53/623)]

53/133. Measures to combat contemporary forms of racism, racial discrimination, xenophobia and related intolerance

The General Assembly,

Recalling its resolution 52/109 of 12 December 1997, and taking note of Commission on Human Rights resolution 1998/26 of 17 April 1998,[1]

Bearing in mind the outcome of the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993, in particular the attention given in the Vienna Declaration and Programme of Action[2] to the elimination of racism, racial discrimination, xenophobia and other forms of intolerance,

Aware that racism, as one of the exclusionist phenomena plaguing many societies, requires resolute action and cooperation for its eradication,

---

[1] See *Official Records of the Economic and Social Council, 1998, Supplement No. 3* (E/1998/23), chap. II, sect. A.

[2] A/CONF.157/24 (Part I), chap. III.

Having examined the report of the Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance,[3] including its conclusions and recommendations,

Deeply concerned that, despite continued efforts, racism, racial discrimination, xenophobia and related intolerance, as well as acts of violence, persist and even grow in magnitude, incessantly adopting new forms, including tendencies to establish policies based on racial, religious, ethnic, cultural and national superiority or exclusivity,

Deeply concerned also that those advocating racism and racial discrimination misuse new communication technologies, including the Internet, to disseminate their repugnant views,

Noting that the use of such technologies can also contribute to combating racism, racial discrimination, xenophobia and related intolerance,

Conscious of the fundamental difference between, on the one hand, racism and racial discrimination as governmental policy or resulting from official doctrines of racial superiority or exclusivity and, on the other hand, other manifestations of racism, racial discrimination, xenophobia and related intolerance that are increasingly visible in segments of many societies and are perpetrated by individuals or groups, some of which manifestations are directed against migrant workers and members of their families,

Reaffirming, in this regard, the responsibility of Governments for safeguarding and protecting the rights of individuals residing in their territory against racist or xenophobic crimes perpetrated by individuals or groups,

Noting that the Committee on the Elimination of Racial Discrimination, in its general recommendation XV (42) of 17 March 1993[4] on article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination,[5] holds that the prohibition of the dissemination of ideas based on racial superiority or racial hatred is compatible with the right to freedom of opinion and expression as outlined in article 19 of the Universal Declaration of Human Rights[6] and in article 5 of the Convention,

Noting also that the reports that the States parties submit under the Convention contain, *inter alia*, information about the causes of, as well as measures to combat, contemporary forms of racism, racial discrimination, xenophobia and related intolerance,

Conscious that impunity for crimes motivated by racist and xenophobic attitudes plays a role in weakening the rule of law and tends to encourage the recurrence of such crimes,

---

[3] See A/53/269.

[4] See *Official Records of the General Assembly, Forty-eighth Session, Supplement No. 18* (A/48/18), chap. VIII, sect. B.

[5] Resolution 2106 A (XX), annex.

[6] Resolution 217 A (III).

Particularly alarmed at the rise of racist and xenophobic ideas in political circles, in the sphere of public opinion and in society at large,

Noting that the Special Rapporteur will continue to pay attention to the rise of racist and xenophobic ideas in political circles, in the sphere of public opinion and in society at large,

Emphasizing the importance of creating conditions that foster greater harmony and tolerance within societies,

1. *Takes note with appreciation* of the report of the Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance,[3] and expresses its support for the continuation of his work;

2. *Requests* the Special Rapporteur to continue his exchange of views with Member States, relevant mechanisms, related United Nations organs and the specialized agencies in order to further their effectiveness and mutual cooperation;

3. *Commends* the Committee on the Elimination of Racial Discrimination for its contribution to the effective implementation of the International Convention on the Elimination of All Forms of Racial Discrimination,[5] which contributes to the fight against contemporary forms of racism, racial discrimination, xenophobia and related intolerance;

4. *Affirms* that acts of racist violence against others stemming from racism do not constitute expressions of opinion but rather offences;

5. *Declares* that racism and racial discrimination are among the most serious violations of human rights in the contemporary world and must be combated by all available means;

6. *Expresses its profound concern about and unequivocal condemnation* of all forms of racism and racial discrimination, in particular all racist violence, and related acts of random and indiscriminate violence;

7. *Also expresses its profound concern about and unequivocal condemnation* of all forms of racism and racial discrimination, including propaganda, activities and organizations based on doctrines of superiority of one race or group of persons that attempt to justify or promote racism and racial discrimination in any form;

8. *Expresses its profound concern about and condemnation* of manifestations of racism, racial discrimination, xenophobia and related intolerance against migrant workers and members of their families, persons belonging to minorities and members of vulnerable groups in many societies;

9. *Encourages* all States to include in their educational curricula and social programmes at all levels, as appropriate, knowledge of and tolerance and respect for foreign cultures, peoples and countries;

10. *Recognizes* that the increasing gravity of different manifestations of racism, racial discrimination and xenophobia in various parts of the world requires a more integrated and effective approach on the part of the relevant mechanisms of United Nations human rights machinery;

11. *Encourages* Governments to take appropriate measures to eradicate all forms of racism, racial discrimination, xenophobia and related intolerance;

12. *Calls upon* all States to review and, where necessary, revise their immigration policies with a view to eliminating all discriminatory policies and practices against migrants which are inconsistent with relevant international human rights instruments;

13. *Categorically deplores* the misuse of print, audio-visual and electronic media and new communication technologies, including the Internet, to incite violence motivated by racial hatred;

14. *Recognizes* that Governments should implement and enforce appropriate and effective legislation to prevent acts of racism, racial discrimination, xenophobia and related intolerance;

15. *Calls upon* all Governments and intergovernmental organizations, with the assistance of non-governmental organizations, as appropriate, to supply relevant information to the Special Rapporteur to enable him to fulfil his mandate;

16. *Commends* non-governmental organizations for the action that they have taken against racism and racial discrimination and for the continuous support and assistance that they have provided to the victims of racism and racial discrimination;

17. *Urges* all Governments to cooperate fully with the Special Rapporteur with a view to enabling him to fulfil his mandate, including the examination of incidents of contemporary forms of racism and racial discrimination, *inter alia*, against blacks, Arabs and Muslims, xenophobia, Negrophobia, anti-Semitism and related intolerance;

18. *Requests* the Secretary-General to provide the Special Rapporteur with all the necessary human and financial assistance to carry out his mandate efficiently, effectively and expeditiously and to enable him to submit an interim report to the General Assembly at its fifty-fourth session.

85th plenary meeting
9 December 1998

Recalling the relevant resolutions regarding the violation of the right of peoples to self-determination and other human rights as a result of foreign military intervention, aggression and occupation adopted by the Commission on Human Rights at its thirty-sixth,[2] thirty-seventh,[3] thirty-eighth,[4] thirty-ninth,[5] fortieth,[6] forty-first,[7] forty-second,[8] forty-third,[9] forty-fourth,[10] forty-fifth,[11] forty-sixth,[12] forty-seventh,[13] forty-eighth,[14] forty-ninth,[15] fiftieth,[16] fifty-first,[17] fifty-second,[18] fifty-third[19] and fifty-fourth[20] sessions,

Reaffirming its resolutions 35/35 B of 14 November 1980, 36/10 of 28 October 1981, 37/42 of 3 December 1982, 38/16 of 22 November 1983, 39/18 of 23 November 1984, 40/24 of 29 November 1985, 41/100 of 4 December 1986, 42/94 of 7 December 1987, 43/105 of 8 December 1988, 44/80 of 8 December 1989, 45/131 of 14 December 1990, 46/88 of 16 December 1991, 47/83 of 16 December 1992, 48/93 of 20 December 1993, 49/148 of 23 December 1994, 50/139 of 21 December 1995, 51/84 of 12 December 1996 and 52/113 of 12 December 1997,

Taking note of the report of the Secretary-General on the right of peoples to self-determination,[21]

---

[2] See *Official Records of the Economic and Social Council, 1980, Supplement No. 3* and corrigendum (E/1980/13 and Corr.1), chap. XXVI, sect. A.

[3] Ibid., *1981, Supplement No. 5* and corrigendum (E/1981/25 and Corr.1), chap. XXVIII, sect. A.

[4] Ibid., *1982, Supplement No. 2* and corrigendum (E/1982/12 and Corr.1), chap. XXVI, sect. A.

[5] Ibid., *1983, Supplement No. 3* and corrigendum (E/1983/13 and Corr.1), chap. XXVII, sect. A.

[6] Ibid., *1984, Supplement No. 4* and corrigendum (E/1984/14 and Corr.1), chap. II, sect. A.

[7] Ibid., *1985, Supplement No. 2* (E/1985/22), chap. II, sect. A.

[8] Ibid., *1986, Supplement No. 2* (E/1986/22), chap. II, sect. A.

[9] Ibid., *1987, Supplement No. 5* and corrigenda (E/1987/18 and Corr.1 and 2), chap. II, sect. A.

[10] Ibid., *1988, Supplement No. 2* and corrigendum (E/1988/12 and Corr.1), chap. II, sect. A.

[11] Ibid., *1989, Supplement No. 2* (E/1989/20), chap. II, sect. A.

[12] Ibid., *1990, Supplement No. 2* and corrigendum (E/1990/22 and Corr.1), chap. II, sect. A.

[13] Ibid., *1991, Supplement No. 2* (E/1991/22), chap. II, sect. A.

[14] Ibid., *1992, Supplement No. 2* (E/1992/22), chap. II, sect. A.

[15] Ibid., *1993, Supplement No. 3* and corrigenda (E/1993/23 and Corr.2, 4 and 5), chap. II, sect. A.

[16] Ibid., *1994, Supplement No. 4* and corrigendum (E/1994/24 and Corr.1), chap. II, sect. A.

[17] Ibid., *1995, Supplement No. 3* and corrigenda (E/1995/23 and Corr.1 and 2), chap. II, sect. A.

[18] Ibid., *1996, Supplement No. 3* (E/1996/23), chap. II, sect. A.

[19] Ibid., *1997, Supplement No. 3* (E/1997/23), chap. II, sect. A.

[20] Ibid., *1998, Supplement No. 3* (E/1998/23), chap. II, sect. A.

[21] A/53/280.

1. *Reaffirms* that the universal realization of the right of all peoples, including those under colonial, foreign and alien domination, to self-determination is a fundamental condition for the effective guarantee and observance of human rights and for the preservation and promotion of such rights;

2. *Declares its firm opposition* to acts of foreign military intervention, aggression and occupation, since these have resulted in the suppression of the right of peoples to self-determination and other human rights in certain parts of the world;

3. *Calls upon* those States responsible to cease immediately their military intervention in and occupation of foreign countries and territories and all acts of repression, discrimination, exploitation and maltreatment, particularly the brutal and inhuman methods reportedly employed for the execution of those acts against the peoples concerned;

4. *Deplores* the plight of the millions of refugees and displaced persons who have been uprooted as a result of the aforementioned acts, and reaffirms their right to return to their homes voluntarily in safety and honour;

5. *Requests* the Commission on Human Rights to continue to give special attention to the violation of human rights, especially the right to self-determination, resulting from foreign military intervention, aggression or occupation;

6. *Requests* the Secretary-General to report on this question to the General Assembly at its fifty-fourth session under the item entitled "Right of peoples to self-determination".

85th plenary meeting
9 December 1998

UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/RES/53/135
1 March 1999

Fifty-third session
Agenda item 109

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[*on the report of the Third Committee (A/53/624)*]

53/135. Use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination

The General Assembly,

Recalling its resolution 52/112 of 12 December 1997,

Recalling also all of its relevant resolutions, in which, *inter alia*, it condemned any State that permitted or tolerated the recruitment, financing, training, assembly, transit and use of mercenaries with the objective of overthrowing the Governments of States Members of the United Nations, especially those of developing countries, and recalling further the relevant resolutions of the Security Council, the Economic and Social Council and the Organization of African Unity,

Reaffirming the purposes and principles enshrined in the Charter of the United Nations concerning the strict observance of the principles of sovereign equality, political independence, territorial integrity of States, the non-use of force or the threat of force in international relations, and self-determination of peoples,

Reaffirming also that, by virtue of the principle of self-determination, as developed in the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations,[1] all peoples have the right freely to

[1] Resolution 2625 (XXV), annex.

determine, without external interference, their political status and to pursue their economic, social and cultural development and every State has the duty to respect this right in accordance with the provisions of the Charter,

Alarmed and concerned about the danger that the activities of mercenaries constitute to peace and security in developing countries, in particular in Africa and in small States, and also elsewhere,

Deeply concerned about the loss of life, the substantial damage to property and the negative effects on the polity and economies of affected countries resulting from mercenary aggression and criminal activities,

Convinced that it is necessary for Member States to ratify the International Convention against the Recruitment, Use, Financing and Training of Mercenaries, adopted by the General Assembly on 4 December 1989,[2] and to develop and maintain international cooperation among States for the prevention, prosecution and punishment of mercenary activities,

Convinced also that, notwithstanding the way in which mercenaries or mercenary-related activities are used or the form they take to acquire some semblance of legitimacy, they are a threat to peace, security and the self-determination of peoples and an obstacle to the enjoyment of human rights by peoples,

1. *Takes note* of the report of the Special Rapporteur of the Commission on Human Rights on the question of the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination;[3]

2. *Reaffirms* that the recruitment, use, financing and training of mercenaries are causes for grave concern to all States and violate the purposes and principles enshrined in the Charter of the United Nations;

3. *Urges* all States to take the necessary steps and to exercise the utmost vigilance against the menace posed by the activities of mercenaries and to take the necessary legislative measures to ensure that their territories and other territories under their control, as well as their nationals, are not used for the recruitment, assembly, financing, training and transit of mercenaries for the planning of activities designed to destabilize or overthrow the Government of any State, threaten the territorial integrity and political unity of sovereign States, promote secession or fight the national liberation movements struggling against colonial or other forms of alien domination or occupation;

4. *Calls upon* all States that have not yet done so to consider taking the necessary action to sign or to ratify the International Convention against the Recruitment, Use, Financing and Training of Mercenaries;[2]

5. *Welcomes* the cooperation extended by those countries that have invited the Special Rapporteur;

---

[2] Resolution 44/34, annex.

[3] A/53/338, annex.

6. *Also welcomes* the adoption by some States of national legislation that restricts the recruitment, assembly, financing, training and transit of mercenaries;

7. *Invites* States to investigate the possibility of mercenary involvement whenever criminal acts of a terrorist nature occur on their territories;

8. *Urges* all States to cooperate fully with the Special Rapporteur in the fulfilment of his mandate;

9. *Requests* the Office of the United Nations High Commissioner for Human Rights, as a matter of priority, to publicize the adverse effects of the activities of mercenaries on the right to self-determination and, when requested and where necessary, to render advisory services to States that are affected by the activities of mercenaries;

10. *Requests* the Secretary-General to invite Governments to make proposals towards a clearer legal definition of mercenaries;

11. *Requests* the Special Rapporteur to report his findings on the use of mercenaries to undermine the right of peoples to self-determination, with specific recommendations, to the General Assembly at its fifty-fourth session;

12. *Decides* to consider at its fifty-fourth session the question of the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination, under the item entitled "Right of peoples to self-determination".

85th plenary meeting
9 December 1998

UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/RES/53/136
1 March 1999

Fifty-third session
Agenda item 109

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[*on the report of the Third Committee (A/53/624)*]

53/136. The right of the Palestinian people to self-determination

The General Assembly,

Aware that the development of friendly relations among nations, based on respect for the principle of equal rights and self-determination of peoples, is among the purposes and principles of the United Nations, as defined in the Charter,

Recalling the International Covenants on Human Rights,[1] the Universal Declaration of Human Rights,[2] the Declaration on the Granting of Independence to Colonial Countries and Peoples[3] and the Vienna Declaration and Programme of Action adopted at the World Conference on Human Rights on 25 June 1993,[4]

Recalling also the Declaration on the Occasion of the Fiftieth Anniversary of the United Nations,[5]

---

[1] Resolution 2200 A (XXI), annex.

[2] Resolution 217 A (III).

[3] Resolution 1514 (XV).

[4] A/CONF.157/24 (Part I), chap. III.

[5] See resolution 50/6.

Expressing deep concern about the difficulties facing the Middle East peace process, and expressing the hope for rapid progress in the peace process and the achievement of a final settlement between the Palestinian and Israeli sides within the agreed time,

Affirming the right of all States in the region to live in peace within secure and internationally recognized borders,

1. *Reaffirms* the right of the Palestinian people to self-determination, without excluding the option of a State;

2. *Expresses the hope* that the Palestinian people will soon be exercising their right to self-determination in the current peace process;

3. *Urges* all States and the specialized agencies and organizations of the United Nations system to continue to support and assist the Palestinian people in their quest for self-determination.

85th plenary meeting
9 December 1998

Reiterating that, despite the existence of an already established body of principles and norms, there is a need to make further efforts to improve the situation and to guarantee respect for the human rights and dignity of all migrant workers and members of their families,

Aware of the situation of migrant workers and members of their families and the marked increase in migratory movements that has occurred, especially in certain parts of the world,

Considering that, in the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[6] all States are urged to guarantee the protection of the human rights of all migrant workers and members of their families,

Underlining the importance of the creation and promotion of conditions to foster greater harmony and tolerance between migrant workers and the rest of the society of the State in which they reside, with the aim of eliminating the growing manifestations of racism and xenophobia perpetrated in segments of many societies by individuals or groups against migrant workers,

Recalling its resolution 45/158 of 18 December 1990, by which it adopted and opened for signature, ratification and accession the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families,

Bearing in mind that, in the Vienna Declaration and Programme of Action, States are invited to consider the possibility of signing and ratifying the Convention at the earliest possible time,

Recalling that, in its resolution 52/115 of 12 December 1997, it requested the Secretary-General to submit to it at its fifty-third session a report on the status of the Convention,

1. *Expresses its deep concern* at the growing manifestations of racism, xenophobia and other forms of discrimination and inhuman or degrading treatment directed against migrant workers in different parts of the world;

2. *Welcomes* the signature or ratification of or accession to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families by some Member States;

3. *Calls upon* all Member States to consider signing and ratifying or acceding to the Convention as a matter of priority, and expresses the hope that it will enter into force at an early date;

4. *Requests* the Secretary-General to provide all the facilities and assistance necessary for the promotion of the Convention through the World Public Information Campaign on Human Rights and the programme of advisory services in the field of human rights;

5. *Welcomes* the launching of the global campaign for the entry into force of the Convention, and invites the organizations and agencies of the United Nations system and intergovernmental and non-governmental organizations to intensify their efforts with a view to disseminating information on and promoting understanding of the Convention;

---

[6] A/CONF.157/24 (Part I), chap. III.

6. *Takes note* of the report of the Secretary-General,[7] and requests him to submit an updated report on the status of the Convention to the General Assembly at its fifty-fourth session;

7. *Decides* to consider the report of the Secretary-General at its fifty-fourth session under the sub-item entitled "Implementation of human rights instruments".

85th plenary meeting
9 December 1998

[7] A/53/230.

UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/RES/53/138
1 March 1999

Fifty-third session
Agenda item 110 (*a*)

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[*on the report of the Third Committee (A/53/625/Add.1)*]

53/138. Effective implementation of international instruments on human rights, including reporting obligations under international instruments on human rights

The General Assembly,

Recalling its resolution 52/118 of 12 December 1997, as well as other relevant resolutions, and taking note of Commission on Human Rights resolution 1998/27 of 17 April 1998,[1]

Recalling also the relevant paragraphs of the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights on 25 June 1993,[2]

Reaffirming that the full and effective implementation of United Nations human rights instruments is of major importance to the efforts of the Organization, pursuant to the Charter of the United Nations and the Universal Declaration of Human Rights,[3] to promote universal respect for and observance of human rights and fundamental freedoms,

---

[1] See *Official Records of the Economic and Social Council, 1998, Supplement No. 3* (E/1998/23), chap. II, sect. A.

[2] A/CONF.157/24 (Part I), chap. III.

[3] Resolution 217 A (III).

Considering that the effective functioning of the human rights treaty bodies established pursuant to United Nations human rights instruments is indispensable for the full and effective implementation of such instruments,

Conscious of the importance of coordination of the human rights promotion and protection activities of the United Nations bodies active in the field of human rights,

Recalling that the effectiveness of the human rights treaty bodies in encouraging the realization by States parties of their obligations under United Nations human rights instruments requires constructive dialogue, which should be based on the reporting process supplemented by information from all relevant sources and aimed at assisting States parties in identifying solutions to human rights problems,

Recalling also the initiatives taken by a number of human rights treaty bodies to elaborate early warning measures and urgent procedures, within their mandates, with a view to preventing the occurrence or recurrence of serious human rights violations,

Reaffirming its responsibility for the effective functioning of human rights treaty bodies, and reaffirming also the importance of:

(*a*) Promoting the effective functioning of the periodic reporting by States parties to those instruments,

(*b*) Securing sufficient financial, human and information resources to overcome the under-resourcing of the Office of the United Nations High Commissioner for Human Rights, which impedes the ability of the human rights treaty bodies to carry out their mandates effectively,

(*c*) Promoting greater efficiency and effectiveness through better coordination of the activities of the United Nations bodies active in the field of human rights, taking into account the need to avoid unnecessary duplication and overlapping of their mandates and tasks,

(*d*) Addressing questions of both reporting obligations and financial implications when elaborating any further instruments on human rights,

Concerned that the lack of adequate resources should not impede the effective functioning of the human rights treaty bodies, including in regard to their ability to work in the applicable working languages,

Taking note of the report of the Secretary-General on the effective implementation of international instruments on human rights, including reporting obligations under international instruments on human rights,[4]

---

[4] A/53/469.

1. *Welcomes* the submission of the reports of the persons chairing the human rights treaty bodies on their ninth[5] and tenth[6] meetings, held at Geneva from 25 to 27 February and 14 to 18 September 1998, respectively, and takes note of their conclusions and recommendations;

2. *Encourages* each treaty body to give careful consideration to the relevant conclusions and recommendations contained in the report of the persons chairing the human rights treaty bodies;

3. *Welcomes* the submission to the Commission on Human Rights of the final report of the independent expert on enhancing the long-term effectiveness of the United Nations human rights treaty monitoring system[7] and of the report of the Secretary-General containing the comments and observations of Governments, United Nations bodies, the specialized agencies, non-governmental organizations and interested persons on the report of the independent expert, as well as his views on the legal, administrative and other implications of the recommendations made in the report,[8] taking into account further developments;

4. *Invites* the Secretary-General to continue to solicit the views of Governments, United Nations bodies, the specialized agencies, non-governmental organizations and interested persons on the final report of the independent expert and to submit a further report thereon, including his own views on the legal, administrative and other implications of the recommendations made in the report, taking into account further developments;

5. *Encourages* ongoing efforts to identify measures for more effective implementation of the United Nations human rights instruments;

6. *Emphasizes* the need to ensure financing and adequate staff and information resources for the operations of the human rights treaty bodies, and, with this in mind:

(*a*) Reiterates its request that the Secretary-General provide adequate resources in respect of each human rights treaty body;

(*b*) Calls upon the Secretary-General to make the most efficient use of existing resources and to seek the resources necessary to give the human rights treaty bodies adequate administrative support and better access to technical expertise and relevant information;

(*c*) Also calls upon the Secretary-General to seek, in the next biennium, the resources within the United Nations regular budget necessary to give the human rights treaty bodies adequate administrative support and better access to technical expertise and relevant information without diverting resources from the development programmes and activities of the United Nations;

7. *Takes note with appreciation* of the revised plan of action to strengthen the implementation of the Convention on the Rights of the Child[9] and the plan of action to strengthen the implementation of the

---

[5] A/53/125, annex.

[6] A/53/432, annex.

[7] E/CN.4/1997/74, annex.

[8] E/CN.4/1998/85 and Add.1 and Corr.1.

[9] Resolution 44/25, annex.

International Covenant on Economic, Social and Cultural Rights,[10] recalls the importance of administering those plans in accordance with established United Nations procedures, welcomes the information provided by the Secretary-General on the implementation of those plans, and requests him to include in his report prepared pursuant to the present resolution further information in this regard;

8. *Notes with interest* the work being done by the United Nations High Commissioner for Human Rights on a plan of action to enhance the resources available to all human rights treaty bodies;

9. *Reaffirms* the need for human rights treaty bodies to better complement each other in their work, and emphasizes that the universal ratification of international human rights treaties containing reporting obligations adopted within the framework of the United Nations system is important for the realization of that complementarity;

10. *Welcomes* the continuing efforts by the human rights treaty bodies and the Secretary-General aimed at streamlining, rationalizing, rendering more transparent and otherwise improving reporting procedures, and urges the Secretary-General, the treaty bodies and the meetings of persons chairing the treaty bodies to continue to examine ways of reducing the duplication of reporting required under the different instruments, without impairing the quality of reporting, and of generally reducing the reporting burden on States parties;

11. *Takes note with appreciation*, in this regard, of the efforts of the persons chairing the human rights treaty bodies, at their ninth and tenth meetings, to propose appropriate reforms of the reporting system with a view to, *inter alia*, reducing the reporting burden on States parties while maintaining the quality of reporting, and encourages them to continue these efforts, including through the continued examination of the benefits of reports focused on a limited range of issues and of opportunities for harmonizing the general guidelines regarding the form and content of reports, the timing of consideration of reports and the methods of work of the treaty bodies;

12. *Invites* the Chairperson of the periodic meetings of the persons chairing the human rights treaty bodies to submit the reports of the meetings to the General Assembly at its fifty-fifth session;

13. *Welcomes* the initiative undertaken by the persons chairing the human rights treaty bodies of inviting representatives of Member States to participate in a dialogue within the framework of their periodic meetings, and encourages them to continue this practice in the future;

14. *Calls upon* the Secretary-General to complete as soon as possible the detailed analytical study comparing the provisions of the International Covenant on Economic, Social and Cultural Rights,[10] the International Covenant on Civil and Political Rights,[10] the International Convention on the Elimination of All Forms of Racial Discrimination,[11] the Convention on the Elimination of All Forms of Discrimination against Women,[12] the Convention on the Rights of the Child[9] and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,[13] which is being prepared with a view to identifying duplication of reporting required under those instruments;

---

[10] See resolution 2200 A (XXI), annex.

[11] Resolution 2106 A (XX), annex.

[12] Resolution 34/180, annex.

[13] Resolution 39/46, annex.

15. *Urges* States parties to contribute, individually and through meetings of States parties, to identifying and implementing ways of further streamlining, rationalizing, avoiding duplication in and otherwise improving reporting procedures;

16. *Welcomes* the publication of the revised *Manual on Human Rights Reporting*;[14]

17. *Underlines* the importance of providing technical assistance to a State, upon its request, in the process of ratifying human rights instruments and in the preparation of its initial reports;

18. *Requests* the Secretary-General to compile in a single volume all the general guidelines regarding the form and content of reports to be submitted by States parties that have been issued by the Human Rights Committee, the Committee on Economic, Social and Cultural Rights, the Committee on the Elimination of Discrimination against Women, the Committee on the Elimination of Racial Discrimination, the Committee on the Rights of the Child and the Committee against Torture;

19. *Reiterates its concern* about the increasing backlog of reports on the implementation by States parties of certain United Nations instruments on human rights and about delays in consideration of reports by the treaty bodies;

20. *Also reiterates its concern* about the large number of overdue reports under the United Nations instruments on human rights, and again urges States parties to make every effort to meet their reporting obligations;

21. *Invites* States parties that have been unable to comply with the requirements to submit their initial report to avail themselves of technical assistance;

22. *Urges* all States parties whose reports have been examined by human rights treaty bodies to provide adequate follow-up to the observations and final comments of the treaty bodies on their reports;

23. *Encourages* the human rights treaty bodies to continue to identify specific possibilities for technical assistance, to be provided at the request of the State concerned, in the regular course of their work of reviewing the periodic reports of States parties;

24. *Recalls* the recommendation by the meeting of persons chairing the human rights treaty bodies that treaty bodies urge each State party to translate, publish and make widely available in its territory the full text of the concluding observations on its reports to the treaty bodies;

25. *Welcomes* the contribution to the work of the human rights treaty bodies made by the specialized agencies and other United Nations bodies, and invites the specialized agencies, other United Nations bodies and the treaty bodies to continue to pursue further cooperation between them;

26. *Notes* that efforts continue to be made at coordination and cooperation between the human rights treaty bodies and the special procedures, rapporteurs, representatives, experts and working groups of the Commission on Human Rights and the Subcommission on Prevention of Discrimination and Protection of Minorities of the Commission, all acting within their respective mandates;

---

[14] United Nations publication, Sales No. E.GV.97.0.16.

27. *Recognizes* the important role played by non-governmental organizations in all parts of the world in the effective implementation of all human rights instruments, and encourages the exchange of information between the human rights treaty bodies and such organizations;

28. *Recalls*, with regard to the election of the members of the human rights treaty bodies, the importance of giving consideration to equitable geographical distribution of membership and to the representation of the principal legal systems and of bearing in mind that the members shall be elected and shall serve in their personal capacity and shall be of high moral character, acknowledged independence and recognized competence in the field of human rights, and encourages States parties, individually and through meetings of States parties, to consider how to give better effect to these principles;

29. *Takes note* of the discussion of the payment of honorariums to the members of the human rights treaty bodies included in the report of the Secretary-General on the effective implementation of international instruments on human rights, including reporting obligations under international instruments on human rights,[4] and of other work being done by the Secretary-General on this subject;

30. *Encourages* the Economic and Social Council, as well as its functional commissions and their subsidiary bodies, other United Nations bodies and the specialized agencies to consider the feasibility of participation by representatives of the human rights treaty bodies in their meetings;

31. *Welcomes* the continuing emphasis by the persons chairing the human rights treaty bodies that the enjoyment of the human rights of women should be monitored closely by each treaty body within the purview of its mandate, and, in this context, takes note of the recommendation made at their tenth meeting[15] that the treaty bodies take full account of the recommendations contained in the report prepared by the Division for the Advancement of Women of the Secretariat;[16]

32. *Also welcomes* the contributions of the human rights treaty bodies, within their mandates, to the prevention of violations of human rights, in the context of their consideration of reports submitted under their respective treaties;

33. *Requests* the Secretary-General to report to the General Assembly at its fifty-fifth session on measures taken to implement the present resolution, on obstacles to its implementation and on measures taken or planned to ensure financing and adequate staff and information resources for the effective operation of the human rights treaty bodies;

34. *Decides* to continue to give priority consideration at its fifty-fifth session to the conclusions and recommendations of the meetings of persons chairing human rights treaty bodies, in the light of the deliberations of the Commission on Human Rights, under the item entitled "Human rights questions".

85th plenary meeting
9 December 1998

---

[15] A/53/432, annex, para. 53.

[16] HRI/MC/1998/6.

UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/RES/53/139
1 March 1999

Fifty-third session
Agenda item 110 (*a*)

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[*on the report of the Third Committee (A/53/625/Add.1)*]

53/139. Torture and other cruel, inhuman or degrading treatment or punishment

The General Assembly,

Recalling article 5 of the Universal Declaration of Human Rights,[1] article 7 of the International Covenant on Civil and Political Rights,[2] the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,[3] and its resolution 39/46 of 10 December 1984, by which it adopted and opened for signature, ratification and accession the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and all its subsequent relevant resolutions,

Recalling that the World Conference on Human Rights, held at Vienna in 1993, firmly declared that efforts to eradicate torture should, first and foremost, be concentrated on prevention and called for the early adoption of an optional protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which is intended to establish a preventive system of regular visits to places of detention,[4]

---

[1] Resolution 217 A (III).

[2] See resolution 2200 A (XXI), annex.

[3] Resolution 3452 (XXX), annex.

[4] A/CONF.157/24 (Part I), chap. III, sect. II, para. 61.

Urging all Governments to promote the speedy and full implementation of the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights on 25 June 1993,[5] in particular, the section relating to freedom from torture, in which it is stated that States should abrogate legislation leading to impunity for those responsible for grave violations of human rights, such as torture, and prosecute such violations, thereby providing a firm basis for the rule of law,[6]

Recalling its resolution 36/151 of 16 December 1981, in which it noted with deep concern that acts of torture took place in various countries, recognized the need to provide assistance to the victims in a purely humanitarian spirit and established the United Nations Voluntary Fund for Victims of Torture,

Recalling also the recommendation in the Vienna Declaration and Programme of Action that high priority should be given to providing the necessary resources to assist victims of torture and effective remedies for their physical, psychological and social rehabilitation, *inter alia*, through additional contributions to the Fund,[7]

Noting with satisfaction the existence of a considerable international network of centres for the rehabilitation of torture victims, which plays an important role in providing assistance to victims of torture, and the collaboration of the Fund with the centres,

Mindful of the proclamation by the General Assembly in its resolution 52/149 of 12 December 1997 of 26 June as United Nations International Day in Support of Victims of Torture,

1. *Welcomes* the report of the Committee against Torture,[8] submitted in accordance with article 24 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and authorizes the Secretary-General to extend the spring sessions of the Committee by one additional week;

2. *Notes with appreciation* that one hundred and six States have become parties to the Convention;

3. *Urges* all States that have not yet done so to become parties to the Convention as a matter of priority;

4. *Invites* all States ratifying or acceding to the Convention and those States that are parties to the Convention and that have not yet done so to consider joining the States parties that have already made the declarations provided for in articles 21 and 22 of the Convention and to consider the possibility of withdrawing their reservations to article 20;

5. *Urges* all States parties to notify the Secretary-General of their acceptance of the amendments to articles 17 and 18 of the Convention as soon as possible;

---

[5] A/CONF.157/24 (Part I), chap. III.

[6] Ibid., sect. II, paras. 54-61.

[7] Ibid., para. 59.

[8] *Official Records of the General Assembly, Fifty-third Session, Supplement No. 44* (A/53/44).

6. *Urges* States parties to comply strictly with their obligations under the Convention, including their obligation to submit reports in accordance with article 19 of the Convention, in view of the high number of reports not submitted, and invites States parties to incorporate a gender perspective when submitting reports to the Committee;

7. *Commends* the Office of the United Nations High Commissioner for Human Rights for the support given to States in the preparation of national reports for submission to the Committee;

8. *Urges* States parties to take fully into account the conclusions and recommendations made by the Committee after its consideration of their reports;

9. *Takes note* of the efforts made by the inter-sessional open-ended working group of the Commission on Human Rights on the elaboration of a draft optional protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which is intended to establish a preventive system of regular visits to places of detention, and urges the Commission to complete as soon as possible a final text for submission to the General Assembly, through the Economic and Social Council, for consideration and adoption;

10. *Takes note with appreciation* of the interim report presented orally by the Special Rapporteur of the Commission on Human Rights on the question of torture and other cruel, inhuman or degrading treatment or punishment, describing the overall trends and developments with regard to his mandate;

11. *Calls upon* all Governments to cooperate with and to assist the Special Rapporteur in the performance of his task, in particular by supplying all necessary information requested by him, to react appropriately and expeditiously to his urgent appeals and to give serious consideration to his requests to visit their countries and to the follow-up to his recommendations;

12. *Approves* the methods of work employed by the Special Rapporteur, in particular as regards urgent appeals, reiterates his need to be able to respond effectively to credible and reliable information that comes before him, invites him to continue to seek the views and comments of all concerned, in particular Member States, in the elaboration of his report, and expresses its appreciation for the discreet and independent way in which he continues to carry out his work;

13. *Stresses* the need for regular exchanges of views between the Committee, the Special Rapporteur and other relevant United Nations mechanisms and bodies, as well as for the pursuance of cooperation with relevant United Nations programmes, notably the programme on crime prevention and criminal justice, with a view to enhancing further their effectiveness and cooperation on issues relating to torture, *inter alia*, by improving their coordination;

14. *Expresses its gratitude and appreciation* to the Governments, organizations and individuals that have already contributed to the United Nations Voluntary Fund for Victims of Torture;

15. *Appeals* to all Governments, organizations and individuals to respond favourably to requests for contributions to the Fund, if possible on a regular basis and annually before the meeting of the Board of Trustees of the Fund, preferably by the end of February, and if possible also with a substantial increase in the level of contributions, so that consideration may be given to the increasing demand for assistance;

16. *Requests* the Secretary-General to transmit to all Governments the appeals of the General Assembly for contributions to the Fund;

17. *Also requests* the Secretary-General to continue to include the Fund on an annual basis among the programmes for which funds are pledged at the United Nations Pledging Conference for Development Activities;

18. *Expresses its appreciation* to the Board of Trustees of the Fund for the work it has accomplished;

19. *Requests* the Secretary-General to assist the Board of Trustees of the Fund in its appeal for contributions and its efforts to make better known the existence of the Fund and the financial means currently available to it, as well as in its assessment of the global need for international funding of rehabilitation services for torture victims and, in this effort, to make use of all existing possibilities, including the preparation, production and dissemination of information materials;

20. *Also requests* the Secretary-General to ensure the provision of adequate staff and facilities for the bodies and mechanisms that combat torture and assist victims of torture, commensurate with the strong support expressed by Member States for combating torture and assisting victims of torture;

21. *Invites* donor and recipient countries to consider including in their bilateral programmes and projects relating to the training of armed forces, security forces, prison and police personnel, as well as health-care personnel, matters relating to the protection of human rights and the prevention of torture and to keep in mind a gender perspective;

22. *Calls upon* all Governments, the United Nations High Commissioner for Human Rights and other United Nations bodies and agencies, as well as relevant intergovernmental and non-governmental organizations, to commemorate, on 26 June, United Nations International Day in Support of Victims of Torture;

23. *Requests* the Secretary-General to submit to the Commission on Human Rights at its fifty-fifth session and to the General Assembly at its fifty-fourth session a report on the status of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and a report on the operations of the United Nations Voluntary Fund for Victims of Torture;

24. *Decides* to consider the reports of the Secretary-General, including the report on the United Nations Voluntary Fund for Victims of Torture, the report of the Committee against Torture and the interim report of the Special Rapporteur of the Commission on Human Rights on the question of torture and other cruel, inhuman or degrading treatment or punishment at its fifty-fourth session.

85th plenary meeting
9 December 1998

UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/RES/53/140
1 March 1999

Fifty-third session
Agenda item 110 (*b*)

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[*on the report of the Third Committee (A/53/625/Add.2)*]

53/140. Elimination of all forms of religious intolerance

The General Assembly,

Recalling that all States have pledged themselves, under the Charter of the United Nations, to promote and encourage universal respect for and observance of human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Reaffirming that discrimination against human beings on the grounds of religion or belief constitutes an affront to human dignity and a disavowal of the principles of the Charter,

Recalling, in this fiftieth anniversary of the Universal Declaration of Human Rights,[1] article 18 of the Declaration,

Reaffirming its resolution 36/55 of 25 November 1981, by which it proclaimed the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief,

Recalling article 18 of the International Covenant on Civil and Political Rights,[2]

---

[1] Resolution 217 A (III).

[2] See resolution 2200 A (XXI), annex.

Emphasizing that the right to freedom of thought, conscience, religion and belief is far-reaching and profound and that it encompasses freedom of thought on all matters, personal conviction and the commitment to religion or belief, whether manifested individually or in community with others,

Reaffirming the call of the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993, for all Governments to take all appropriate measures in compliance with their international obligations and with due regard to their respective legal systems to counter intolerance and related violence based on religion or belief, including practices of discrimination against women and the desecration of religious sites, recognizing that every individual has the right to freedom of thought, conscience, expression and religion,[3]

Calling upon all Governments to cooperate with the Special Rapporteur of the Commission on Human Rights on the elimination of all forms of religious intolerance and of discrimination based on religion or belief to enable him to carry out his mandate fully,

Alarmed that serious instances of intolerance and discrimination on the grounds of religion or belief, including acts of violence, intimidation and coercion motivated by religious intolerance, occur in many parts of the world and threaten the enjoyment of human rights and fundamental freedoms,

Deeply concerned that, as reported by the Special Rapporteur, the rights violated on religious grounds include the right to life, the right to physical integrity and to liberty and security of person, the right to freedom of expression, the right not to be subjected to torture or other cruel, inhuman or degrading treatment or punishment and the right not to be arbitrarily arrested or detained,[4]

Believing that further efforts are therefore required to promote and protect the right to freedom of thought, conscience, religion and belief and to eliminate all forms of hatred, intolerance and discrimination based on religion or belief,

1. *Reaffirms* that freedom of thought, conscience, religion and belief is a human right derived from the inherent dignity of the human person and guaranteed to all without discrimination;

2. *Urges* States to ensure that their constitutional and legal systems provide effective guarantees of freedom of thought, conscience, religion and belief, including the provision of effective remedies in cases where the right to freedom of religion or belief is violated;

3. *Also urges* States to ensure, in particular, that no one within their jurisdiction is, because of his or her religion or belief, deprived of the right to life or the right to liberty and security of person or subjected to torture or arbitrary arrest or detention;

4. *Further urges* States, in conformity with international standards of human rights, to take all necessary action to prevent such instances, to take all appropriate measures to combat hatred, intolerance and acts of violence, intimidation and coercion motivated by religious intolerance and to encourage, through the educational system and by other means, understanding, tolerance and respect in matters relating to freedom of religion or belief;

---

[3] A/CONF.157/24 (Part I), chap. III, sect. II, para. 22.

[4] E/CN.4/1994/79, para. 103.

5. *Recognizes* that legislation alone is not enough to prevent violations of human rights, including the right to freedom of religion or belief;

6. *Emphasizes* that, as underlined by the Human Rights Committee, restrictions on the freedom to manifest religion or belief are permitted only if limitations are prescribed by law, are necessary to protect public safety, order, health or morals or the fundamental rights and freedoms of others and are applied in a manner that does not vitiate the right to freedom of thought, conscience and religion;

7. *Urges* States to ensure that, in the course of their official duties, members of law enforcement bodies, civil servants, educators and other public officials respect different religions and beliefs and do not discriminate against persons professing other religions or beliefs;

8. *Calls upon* all States to recognize, as provided for in the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, the right of all persons to worship or assemble in connection with a religion or belief and to establish and maintain places for those purposes;

9. *Expresses its grave concern* at any attack upon religious places, sites and shrines, and calls upon all States, in accordance with their national legislation and in conformity with international human rights standards, to exert the utmost efforts to ensure that such places, sites and shrines are fully respected and protected;

10. *Recognizes* that the exercise of tolerance and non-discrimination by persons and groups is necessary for the full realization of the aims of the Declaration;

11. *Encourages* the continued efforts on the part of the Special Rapporteur of the Commission on Human Rights on the elimination of all forms of religious intolerance and of discrimination based on religion or belief appointed to examine incidents and governmental actions in all parts of the world that are incompatible with the provisions of the Declaration and to recommend remedial measures as appropriate;

12. *Encourages* Governments to give serious consideration to inviting the Special Rapporteur to visit their countries so as to enable him to fulfil his mandate even more effectively;

13. *Also encourages* Governments, when seeking the assistance of the United Nations Programme of Advisory Services and Technical Assistance in the Field of Human Rights, to consider, where appropriate, including requests for assistance in the field of the promotion and protection of the right to freedom of thought, conscience and religion;

14. *Welcomes and encourages* the efforts of non-governmental organizations and religious bodies and groups to promote the implementation of the Declaration, and invites them to consider what further contribution they could make to its implementation and dissemination in all parts of the world;

15. *Requests* the Commission on Human Rights to continue its consideration of measures to implement the Declaration;

16. *Requests* the Special Rapporteur to submit an interim report to the General Assembly at its fifty-fourth session;

17. *Requests* the Secretary-General to ensure that the Special Rapporteur receives the necessary staffing, financial and material resources to enable him to discharge his mandate in full and on time;

18. *Decides* to consider the question of the elimination of all forms of religious intolerance at its fifty-fourth session under the item entitled "Human rights questions".

85th plenary meeting
9 December 1998

UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/RES/53/141
8 March 1999

Fifty-third session
Agenda item 110 (*b*)

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[*on the report of the Third Committee (A/53/625/Add.2)*]

53/141. Human rights and unilateral coercive measures

The General Assembly,

Recalling its resolutions 51/103 of 12 December 1996 and 52/120 of 12 December 1997, and taking note of Commission on Human Rights resolution 1998/11 of 9 April 1998,[1]

Reaffirming the pertinent principles and provisions contained in the Charter of Economic Rights and Duties of States proclaimed by the General Assembly in its resolution 3281 (XXIX) of 12 December 1974, in particular article 32 thereof, in which it declared that no State may use or encourage the use of economic, political or any other type of measures to coerce another State in order to obtain from it the subordination of the exercise of its sovereign rights,

[1] See *Official Records of the Economic and Social Council, 1998, Supplement No. 3* (E/1998/23), chap. II, sect. A.

Taking note of the report submitted by the Secretary-General,[2] pursuant to Commission on Human Rights resolution 1995/45 of 3 March 1995,[3] and the report of the Secretary-General on the implementation of Assembly resolution 52/120,[4]

Recognizing the universal, indivisible, interdependent and interrelated character of all human rights, and, in this regard, reaffirming the right to development as an integral part of all human rights,

Recalling that the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993, called upon States to refrain from any unilateral coercive measure not in accordance with international law and the Charter of the United Nations that creates obstacles to trade relations among States and impedes the full realization of all human rights,[5]

Bearing in mind all the references to this question in the Copenhagen Declaration on Social Development, adopted by the World Summit for Social Development on 12 March 1995,[6] the Beijing Declaration and the Platform for Action, adopted by the Fourth World Conference on Women on 15 September 1995,[7] and the Istanbul Declaration on Human Settlements and the Habitat Agenda, adopted by the second United Nations Conference on Human Settlements (Habitat II) on 14 June 1996,[8]

Deeply concerned that, despite the recommendations adopted on this issue by the General Assembly and recent major United Nations conferences and contrary to general international law and the Charter of the United Nations, unilateral coercive measures continue to be promulgated and implemented with all their extraterritorial effects, *inter alia*, on the economic and social development of targeted countries and peoples and individuals under the jurisdiction of other States,

Noting the continuing efforts of the Working Group on the Right to Development of the Commission on Human Rights, and reaffirming in particular its criteria, according to which unilateral coercive measures are one of the obstacles to the implementation of the Declaration on the Right to Development,[9]

1. *Urges* all States to refrain from adopting or implementing any unilateral measures not in accordance with international law and the Charter of the United Nations, in particular those of a coercive

---

[2] E/CN.4/1996/45 and Add.1.

[3] See *Official Records of the Economic and Social Council, 1995, Supplement No. 3* and corrigenda (E/1995/23 and Corr.1 and 2), chap. II, sect. A.

[4] A/53/293 and Add.1.

[5] See A/CONF.157/24 (Part I), chap. III, sect. I, para. 31.

[6] *Report of the World Summit for Social Development, Copenhagen, 6–12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annex I.

[7] *Report of the Fourth World Conference on Women, Beijing, 4–15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

[8] *Report of the United Nations Conference on Human Settlements (Habitat II), Istanbul, 3–14 June 1996* (United Nations publication, Sales No. E.97.IV.6), chap. I, resolution 1, annex II.

[9] Resolution 41/128, annex.

nature with all their extraterritorial effects, which create obstacles to trade relations among States, thus impeding the full realization of the rights set forth in the Universal Declaration of Human Rights[10] and other international human rights instruments, in particular the right of individuals and peoples to development;

2. *Rejects* unilateral coercive measures with all their extraterritorial effects as tools for political or economic pressure against any country, in particular against developing countries, because of their negative effects on the realization of all the human rights of vast sectors of their populations, in particular children, women and the elderly;

3. *Calls upon* Member States that have initiated such measures to commit themselves to their obligations and responsibilities arising from the international human rights instruments to which they are party by revoking such measures at the earliest time possible;

4. *Reaffirms*, in this context, the right of all peoples to self-determination, by virtue of which they freely determine their political status and freely pursue their economic, social and cultural development;

5. *Urges* the Commission on Human Rights to take fully into account the negative impact of unilateral coercive measures, including the enactment of national laws and their extraterritorial application, in its task concerning the implementation of the right to development;

6. *Requests* the United Nations High Commissioner for Human Rights, in discharging her functions relating to the promotion, realization and protection of the right to development, to give urgent consideration to the present resolution in her annual report to the General Assembly;

7. *Requests* the Secretary-General to bring the present resolution to the attention of all Member States, to seek their views and information on the implications and negative effects of unilateral coercive measures on their populations and to submit accordingly a report thereon to the General Assembly at its fifty-fourth session;

8. *Decides* to examine this question on a priority basis at its fifty-fourth session under the sub-item entitled "Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms".

85th plenary meeting
9 December 1998

---

[10] Resolution 217 A (III).

for the promotion and protection of all human rights and coordinating human rights activities throughout the United Nations system,

Recalling the recommendation of the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993, that a comprehensive programme should be established within the United Nations with a view to helping States in the task of building and strengthening adequate national structures that have a direct impact on the overall observance of human rights and the maintenance of the rule of law,[2]

Bearing in mind that the Office of the High Commissioner remains the focal point for coordinating system-wide attention to human rights, democracy and the rule of law,

Recalling its resolution 52/125 of 12 December 1997 and Commission on Human Rights resolution 1997/48 of 11 April 1997,[3]

1. *Welcomes* the report of the Secretary-General;[4]

2. *Notes with appreciation* the increasing number of Member States seeking assistance in strengthening and consolidating the rule of law;

3. *Praises* the efforts made by the Office of the United Nations High Commissioner for Human Rights to accomplish its ever-increasing tasks with the limited financial and personnel resources at its disposal;

4. *Expresses its deep concern* at the scarcity of means at the disposal of the Office of the High Commissioner for the fulfilment of its tasks;

5. *Notes* that the United Nations Programme of Advisory Services and Technical Assistance in the Field of Human Rights does not have sufficient funds to provide any substantial financial assistance to national projects that have a direct impact on the realization of human rights and the maintenance of the rule of law in countries that are committed to those ends but are facing economic hardship;

6. *Welcomes* the deepening of the ongoing cooperation between the Office of the High Commissioner and other relevant bodies and programmes of the United Nations system, with a view to enhancing system-wide coordination of assistance in human rights, democracy and the rule of law, and, in this context, takes note of the cooperation between the United Nations Development Programme and the Office of the High Commissioner in providing technical assistance, at the request of States, in the promotion of the rule of law;

7. *Encourages* the United Nations High Commissioner for Human Rights to continue the dialogue between her Office and other organs and agencies of the United Nations system, taking into account the need to explore new synergies with a view to obtaining increased financial assistance for human rights and the rule of law;

---

[2] See A/CONF.157/24 (Part I), chap. III, sect. II, para. 69.

[3] See *Official Records of the Economic and Social Council, 1997, Supplement No. 3* (E/1997/23), chap. II, sect. A.

[4] A/53/309.

8. *Also encourages* the High Commissioner to continue to explore the possibility of further contact with and support of financial institutions, acting within their mandates, with a view to obtaining the technical and financial means to strengthen the capacity of the Office of the High Commissioner to provide assistance to national projects aiming at the realization of human rights and the maintenance of the rule of law;

9. *Requests* the High Commissioner to continue to accord high priority to the technical cooperation activities undertaken by her Office with regard to the rule of law;

10. *Expresses its appreciation* for the efforts made by the High Commissioner to undertake an analysis of the technical cooperation provided by the United Nations in the field of human rights with the aim of formulating recommendations for inter-agency coordination, funding and allocation of responsibilities in order to improve efficiency and complementarity of action concerning, *inter alia*, assistance to States in strengthening the rule of law;

11. *Requests* the Secretary-General to submit a report to the General Assembly at its fifty-fifth session on the results of the contacts established in accordance with the present resolution, as well as on any other developments pertaining to the implementation of the above-mentioned recommendation of the World Conference on Human Rights.

85th plenary meeting
9 December 1998

UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/RES/53/143
8 March 1999

Fifty-third session
Agenda item 110 (*b*)

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[*on the report of the Third Committee (A/53/625/Add.2)*]

53/143. Respect for the right to universal freedom of travel and the vital importance of family reunification

The General Assembly,

Reaffirming that all human rights and fundamental freedoms are universal, indivisible, interdependent and interrelated,

Recalling the provisions of the Universal Declaration of Human Rights,[1]

Stressing that, as stated in the Programme of Action of the International Conference on Population and Development,[2] family reunification of documented migrants is an important factor in international migration and that remittances by documented migrants to their countries of origin often constitute a very important source of foreign exchange and are instrumental in improving the well-being of relatives left behind,

Recalling its resolution 52/121 of 12 December 1997,

---

[1] Resolution 217 A (III).

[2] *Report of the International Conference on Population and Development, Cairo, 5–13 September 1994* (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex.

1. *Once again calls upon* all States to guarantee the universally recognized freedom of travel to all foreign nationals legally residing in their territory;

2. *Reaffirms* that all Governments, in particular those of receiving countries, must recognize the vital importance of family reunification and promote its incorporation into national legislation in order to ensure protection of the unity of families of documented migrants;

3. *Calls upon* all States to allow, in conformity with international legislation, the free flow of financial remittances by foreign nationals residing in their territory to their relatives in the country of origin;

4. *Also calls upon* all States to refrain from enacting, and to repeal if it already exists, legislation intended as a coercive measure that discriminates against legal migrants, whether individuals or groups, by adversely affecting family reunification and the right to send financial remittances to relatives in the country of origin;

5. *Decides* to continue its consideration of this question at its fifty-fourth session under the item entitled "Human rights questions".

85th plenary meeting
9 December 1998

UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/RES/53/144
8 March 1999

Fifty-third session
Agenda item 110 (*b*)

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[*on the report of the Third Committee (A/53/625/Add.2)*]

53/144. Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms

The General Assembly,

Reaffirming the importance of the observance of the purposes and principles of the Charter of the United Nations for the promotion and protection of all human rights and fundamental freedoms for all persons in all countries of the world,

Taking note of Commission on Human Rights resolution 1998/7 of 3 April 1998,[1] in which the Commission approved the text of the draft declaration on the right and responsibility of individuals, groups and organs of society to promote and protect universally recognized human rights and fundamental freedoms,

Taking note also of Economic and Social Council resolution 1998/33 of 30 July 1998, in which the Council recommended the draft declaration to the General Assembly for adoption,

---

[1] See *Official Records of the Economic and Social Council, 1998, Supplement No. 3* (E/1998/23), chap. II, sect. A.

Conscious of the importance of the adoption of the draft declaration in the context of the fiftieth anniversary of the Universal Declaration of Human Rights,[2]

1. *Adopts* the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, annexed to the present resolution;

2. *Invites* Governments, agencies and organizations of the United Nations system and intergovernmental and non-governmental organizations to intensify their efforts to disseminate the Declaration and to promote universal respect and understanding thereof, and requests the Secretary-General to include the text of the Declaration in the next edition of *Human Rights: A Compilation of International Instruments*.

85th plenary meeting
9 December 1998

ANNEX

Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms

The General Assembly,

Reaffirming the importance of the observance of the purposes and principles of the Charter of the United Nations for the promotion and protection of all human rights and fundamental freedoms for all persons in all countries of the world,

Reaffirming also the importance of the Universal Declaration of Human Rights[2] and the International Covenants on Human Rights[3] as basic elements of international efforts to promote universal respect for and observance of human rights and fundamental freedoms and the importance of other human rights instruments adopted within the United Nations system, as well as those at the regional level,

Stressing that all members of the international community shall fulfil, jointly and separately, their solemn obligation to promote and encourage respect for human rights and fundamental freedoms for all without distinction of any kind, including distinctions based on race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status, and reaffirming the particular importance of achieving international cooperation to fulfil this obligation according to the Charter,

Acknowledging the important role of international cooperation for, and the valuable work of individuals, groups and associations in contributing to, the effective elimination of all violations of

---

[2] Resolution 217 A (III).

[3] Resolution 2200 A (XXI), annex.

human rights and fundamental freedoms of peoples and individuals, including in relation to mass, flagrant or systematic violations such as those resulting from apartheid, all forms of racial discrimination, colonialism, foreign domination or occupation, aggression or threats to national sovereignty, national unity or territorial integrity and from the refusal to recognize the right of peoples to self-determination and the right of every people to exercise full sovereignty over its wealth and natural resources,

Recognizing the relationship between international peace and security and the enjoyment of human rights and fundamental freedoms, and mindful that the absence of international peace and security does not excuse non-compliance,

Reiterating that all human rights and fundamental freedoms are universal, indivisible, interdependent and interrelated and should be promoted and implemented in a fair and equitable manner, without prejudice to the implementation of each of those rights and freedoms,

Stressing that the prime responsibility and duty to promote and protect human rights and fundamental freedoms lie with the State,

Recognizing the right and the responsibility of individuals, groups and associations to promote respect for and foster knowledge of human rights and fundamental freedoms at the national and international levels,

Declares:

Article 1

Everyone has the right, individually and in association with others, to promote and to strive for the protection and realization of human rights and fundamental freedoms at the national and international levels.

Article 2

1. Each State has a prime responsibility and duty to protect, promote and implement all human rights and fundamental freedoms, *inter alia*, by adopting such steps as may be necessary to create all conditions necessary in the social, economic, political and other fields, as well as the legal guarantees required to ensure that all persons under its jurisdiction, individually and in association with others, are able to enjoy all those rights and freedoms in practice.

2. Each State shall adopt such legislative, administrative and other steps as may be necessary to ensure that the rights and freedoms referred to in the present Declaration are effectively guaranteed.

Article 3

Domestic law consistent with the Charter of the United Nations and other international obligations of the State in the field of human rights and fundamental freedoms is the juridical framework within

which human rights and fundamental freedoms should be implemented and enjoyed and within which all activities referred to in the present Declaration for the promotion, protection and effective realization of those rights and freedoms should be conducted.

Article 4

Nothing in the present Declaration shall be construed as impairing or contradicting the purposes and principles of the Charter of the United Nations or as restricting or derogating from the provisions of the Universal Declaration of Human Rights,[2] the International Covenants on Human Rights[3] and other international instruments and commitments applicable in this field.

Article 5

For the purpose of promoting and protecting human rights and fundamental freedoms, everyone has the right, individually and in association with others, at the national and international levels:

(*a*) To meet or assemble peacefully;

(*b*) To form, join and participate in non-governmental organizations, associations or groups;

(*c*) To communicate with non-governmental or intergovernmental organizations.

Article 6

Everyone has the right, individually and in association with others:

(*a*) To know, seek, obtain, receive and hold information about all human rights and fundamental freedoms, including having access to information as to how those rights and freedoms are given effect in domestic legislative, judicial or administrative systems;

(*b*) As provided for in human rights and other applicable international instruments, freely to publish, impart or disseminate to others views, information and knowledge on all human rights and fundamental freedoms;

(*c*) To study, discuss, form and hold opinions on the observance, both in law and in practice, of all human rights and fundamental freedoms and, through these and other appropriate means, to draw public attention to those matters.

Article 7

Everyone has the right, individually and in association with others, to develop and discuss new human rights ideas and principles and to advocate their acceptance.

Article 8

1. Everyone has the right, individually and in association with others, to have effective access, on a non-discriminatory basis, to participation in the government of his or her country and in the conduct of public affairs.

2. This includes, *inter alia*, the right, individually and in association with others, to submit to governmental bodies and agencies and organizations concerned with public affairs criticism and proposals for improving their functioning and to draw attention to any aspect of their work that may hinder or impede the promotion, protection and realization of human rights and fundamental freedoms.

Article 9

1. In the exercise of human rights and fundamental freedoms, including the promotion and protection of human rights as referred to in the present Declaration, everyone has the right, individually and in association with others, to benefit from an effective remedy and to be protected in the event of the violation of those rights.

2. To this end, everyone whose rights or freedoms are allegedly violated has the right, either in person or through legally authorized representation, to complain to and have that complaint promptly reviewed in a public hearing before an independent, impartial and competent judicial or other authority established by law and to obtain from such an authority a decision, in accordance with law, providing redress, including any compensation due, where there has been a violation of that person's rights or freedoms, as well as enforcement of the eventual decision and award, all without undue delay.

3. To the same end, everyone has the right, individually and in association with others, *inter alia*:

(*a*) To complain about the policies and actions of individual officials and governmental bodies with regard to violations of human rights and fundamental freedoms, by petition or other appropriate means, to competent domestic judicial, administrative or legislative authorities or any other competent authority provided for by the legal system of the State, which should render their decision on the complaint without undue delay;

(*b*) To attend public hearings, proceedings and trials so as to form an opinion on their compliance with national law and applicable international obligations and commitments;

(*c*) To offer and provide professionally qualified legal assistance or other relevant advice and assistance in defending human rights and fundamental freedoms.

4. To the same end, and in accordance with applicable international instruments and procedures, everyone has the right, individually and in association with others, to unhindered access to and communication with international bodies with general or special competence to receive and consider communications on matters of human rights and fundamental freedoms.

5. The State shall conduct a prompt and impartial investigation or ensure that an inquiry takes place whenever there is reasonable ground to believe that a violation of human rights and fundamental freedoms has occurred in any territory under its jurisdiction.

Article 10

No one shall participate, by act or by failure to act where required, in violating human rights and fundamental freedoms and no one shall be subjected to punishment or adverse action of any kind for refusing to do so.

Article 11

Everyone has the right, individually and in association with others, to the lawful exercise of his or her occupation or profession. Everyone who, as a result of his or her profession, can affect the human dignity, human rights and fundamental freedoms of others should respect those rights and freedoms and comply with relevant national and international standards of occupational and professional conduct or ethics.

Article 12

1. Everyone has the right, individually and in association with others, to participate in peaceful activities against violations of human rights and fundamental freedoms.

2. The State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, de facto or *de jure* adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the present Declaration.

3. In this connection, everyone is entitled, individually and in association with others, to be protected effectively under national law in reacting against or opposing, through peaceful means, activities and acts, including those by omission, attributable to States that result in violations of human rights and fundamental freedoms, as well as acts of violence perpetrated by groups or individuals that affect the enjoyment of human rights and fundamental freedoms.

Article 13

Everyone has the right, individually and in association with others, to solicit, receive and utilize resources for the express purpose of promoting and protecting human rights and fundamental freedoms through peaceful means, in accordance with article 3 of the present Declaration.

Article 14

1. The State has the responsibility to take legislative, judicial, administrative or other appropriate measures to promote the understanding by all persons under its jurisdiction of their civil, political, economic, social and cultural rights.

2. Such measures shall include, *inter alia*:

(*a*) The publication and widespread availability of national laws and regulations and of applicable basic international human rights instruments;

(*b*) Full and equal access to international documents in the field of human rights, including the periodic reports by the State to the bodies established by the international human rights treaties to which it is a party, as well as the summary records of discussions and the official reports of these bodies.

3. The State shall ensure and support, where appropriate, the creation and development of further independent national institutions for the promotion and protection of human rights and fundamental freedoms in all territory under its jurisdiction, whether they be ombudsmen, human rights commissions or any other form of national institution.

Article 15

The State has the responsibility to promote and facilitate the teaching of human rights and fundamental freedoms at all levels of education and to ensure that all those responsible for training lawyers, law enforcement officers, the personnel of the armed forces and public officials include appropriate elements of human rights teaching in their training programme.

Article 16

Individuals, non-governmental organizations and relevant institutions have an important role to play in contributing to making the public more aware of questions relating to all human rights and fundamental freedoms through activities such as education, training and research in these areas to strengthen further, *inter alia*, understanding, tolerance, peace and friendly relations among nations and among all racial and religious groups, bearing in mind the various backgrounds of the societies and communities in which they carry out their activities.

Article 17

In the exercise of the rights and freedoms referred to in the present Declaration, everyone, acting individually and in association with others, shall be subject only to such limitations as are in accordance with applicable international obligations and are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.

Article 18

1. Everyone has duties towards and within the community, in which alone the free and full development of his or her personality is possible.

2. Individuals, groups, institutions and non-governmental organizations have an important role to play and a responsibility in safeguarding democracy, promoting human rights and fundamental freedoms and contributing to the promotion and advancement of democratic societies, institutions and processes.

3. Individuals, groups, institutions and non-governmental organizations also have an important role and a responsibility in contributing, as appropriate, to the promotion of the right of everyone to a social and international order in which the rights and freedoms set forth in the Universal Declaration of Human Rights and other human rights instruments can be fully realized.

Article 19

Nothing in the present Declaration shall be interpreted as implying for any individual, group or organ of society or any State the right to engage in any activity or to perform any act aimed at the destruction of the rights and freedoms referred to in the present Declaration.

Article 20

Nothing in the present Declaration shall be interpreted as permitting States to support and promote activities of individuals, groups of individuals, institutions or non-governmental organizations contrary to the provisions of the Charter of the United Nations.

UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/RES/53/145
8 March 1999

Fifty-third session
Agenda item 110 (*b*)

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[*on the report of the Third Committee (A/53/625/Add.2)*]

53/145. Situation of human rights in Cambodia

The General Assembly,

Guided by the purposes and principles embodied in the Charter of the United Nations, the Universal Declaration of Human Rights[1] and the International Covenants on Human Rights,[2]

Recalling the Agreement on a Comprehensive Political Settlement of the Cambodia Conflict, signed in Paris on 23 October 1991,[3] including part III thereof, relating to human rights,

Taking note of Commission on Human Rights resolution 1998/60 of 17 April 1998,[4] and recalling General Assembly resolution 52/135 of 12 December 1997 and previous relevant resolutions, including Commission on Human Rights resolution 1993/6 of 19 February 1993,[5] in which the Commission

---

[1] Resolution 217 A (III).

[2] Resolution 2200 A (XXI), annex.

[3] A/46/608–S/23177, annex; see *Official Records of the Security Council, Forty-sixth Year, Supplement for October, November and December 1991*, document S/23177.

[4] See *Official Records of the Economic and Social Council, 1998, Supplement No. 3* (E/1998/23), chap. II, sect. A.

[5] Ibid., *1993, Supplement No. 3* and corrigenda (E/1993/23 and Corr.2, 4 and 5), chap. II, sect. A.

recommended the appointment of a special representative in Cambodia, and the subsequent appointment by the Secretary-General of a special representative,

Recognizing that the tragic history of Cambodia requires special measures to assure the promotion and protection of the human rights of all people in Cambodia and the non-return to the policies and practices of the past, as stipulated in the Agreement signed in Paris on 23 October 1991,

Desiring that the United Nations respond positively to assist efforts to investigate the tragic history of Cambodia, including responsibility for past international crimes, such as acts of genocide and crimes against humanity,

Welcoming the continuing role of the United Nations High Commissioner for Human Rights in the promotion and protection of human rights in Cambodia and her visit to Cambodia in January 1998,

Welcoming also the agreement by the Government of Cambodia to extend the mandate of the office in Phnom Penh of the High Commissioner until March 2000, enabling the office to continue its operations and to maintain its technical cooperation programmes,

1. *Requests* the Secretary-General, through his Special Representative for human rights in Cambodia, in collaboration with the office in Cambodia of the United Nations High Commissioner for Human Rights, to assist the Government of Cambodia in ensuring the protection of the human rights of all people in Cambodia and to ensure adequate resources for the continued functioning in Cambodia of the Office of the United Nations High Commissioner for Human Rights and to enable the Special Representative to continue to fulfil his tasks expeditiously;

2. *Welcomes* the report of the Secretary-General on the situation of human rights in Cambodia,[6] in particular the section concerning the role of the Office of the High Commissioner in assisting the Government and the people of Cambodia in the promotion and protection of human rights, and encourages the Government of Cambodia to continue to cooperate with the Office;

3. *Takes note with appreciation* of the report of the Special Representative on the situation of human rights in Cambodia,[7] and notes in particular his concerns about political violence, the problem of impunity, the independence of the judiciary and the establishment of the rule of law, the use of torture, the administration of prisons and the ill-treatment of prisoners, child labour, child prostitution and trafficking, workers' rights and the freedom to form independent trade unions, media freedom and the situation of women, including violence against women, and minorities;

4. *Welcomes* the holding of national elections by the Government of Cambodia on 26 July 1998 and its efforts to ensure the safety of national and international observers of the elections;

5. *Notes* that the elections demonstrated the clear desire of the Cambodian people for democracy, stresses the need for the constructive engagement of all parties in order to fulfil the objective of the elections, the formation of an elected, constitutional government, and, in this context, welcomes the

---

[6] A/53/400.

[7] E/CN.4/1998/95.

agreement reached between political parties to convene the National Assembly and to establish a coalition government;

6. *Welcomes* the role of the United Nations in monitoring the return of and full resumption of political activities by political leaders in the period leading up to, during and immediately after the elections;

7. *Also welcomes* the role of national non-governmental organizations in educating voters and providing observers at polling stations and of international observers during the recent elections, and takes note of the statements of the joint international observer group regarding the polling and counting processes of the elections;

8. *Encourages* the Government of Cambodia to continue to work with non-governmental organizations in efforts to strengthen and uphold human rights in Cambodia, in recognition of the vital and valuable role played by non-governmental organizations in the development of civil society in Cambodia;

9. *Notes* the formation of a provisional Cambodian human rights committee, and encourages the Government of Cambodia, in setting up a new Cambodian human rights commission, to take into account international standards, notably those on independence, and to request the Office of the High Commissioner to provide advice and technical assistance to this end;

10. *Expresses grave concern* about numerous instances of violations of human rights, including extrajudicial executions, torture, illegal arrests and detention, and violence in relation to political activities, as detailed in the reports of the Special Representative, including those that occurred in March and July 1997 and during the recent election campaign and its immediate aftermath, and calls upon the Government of Cambodia to investigate urgently and prosecute, in accordance with due process of the law and international standards relating to human rights, all those who have perpetrated human rights violations;

11. *Also expresses grave concern* at the situation of impunity in Cambodia, and stresses that addressing the continuing problem of impunity, as detailed by the Special Representative, including the repeal of article 51 of the 1994 Law on Civil Servants and bringing to justice those responsible for human rights violations, together with ensuring the security of persons and the rights of association, assembly and expression, remains a matter of critical and urgent priority;

12. *Welcomes* the convening for the first time of the Supreme Council of the Magistracy in December 1997, as well as the adoption of the Law on the Constitutional Council in March 1998, and looks forward to the active implementation of their constitutional mandates;

13. *Condemns* the use of racist rhetoric and acts of violence against ethnic minorities, especially Cambodians of Vietnamese ethnicity, as detailed in the report of the Special Representative, and urges all political parties in Cambodia to abstain from statements or activities that could be interpreted as incitement against ethnic minorities;

14. *Notes with serious concern* the comments of the Special Representative about the judicial system and the prison administration, strongly urges the Government of Cambodia to continue its efforts to create a functioning and impartial system of justice and to implement the Prison Regulations signed in

March 1998, and welcomes the cooperation of the Government of Cambodia with international efforts to improve the judicial system;

15. *Stresses* the need for the Government of Cambodia to improve the implementation of the freedoms laid down in the Cambodian Constitution with regard to the operation of a free electronic and print media and the security of persons and the rights of association, assembly and expression, in accordance with the provisions of the Constitution and in view of the critical role they play in the effective functioning of a multi-party democracy;

16. *Endorses* the comments of the Special Representative that the most serious human rights violations in Cambodia in recent history have been committed by the Khmer Rouge, and notes with concern that no Khmer Rouge leaders have been brought to account for their crimes;

17. *Welcomes* the appointment by the Secretary-General, in response to the request by the Cambodian authorities for assistance in responding to past serious violations of Cambodian and international law by the Khmer Rouge, of a group of experts to evaluate the existing evidence and propose further measures as a means of bringing about national reconciliation, strengthening democracy and addressing the issue of individual accountability;

18. *Commends* the efforts of the Government of Cambodia, together with non-governmental organizations and United Nations bodies, including the United Nations Children's Fund, the United Nations Development Programme, the United Nations Population Fund and the United Nations Educational, Scientific and Cultural Organization, to improve the quality of and access to education;

19. *Notes with serious concern* the prevalence of child labour in Cambodia, and calls upon the Government of Cambodia to ensure adequate health and safety conditions and access to education for working children and to outlaw the worst forms of child labour;

20. *Welcomes* the development by the Government of Cambodia, working with the office in Cambodia of the United Nations High Commissioner for Human Rights, the United Nations Children's Fund and non-governmental organizations, of an action plan to combat child prostitution and trafficking, encourages the National Assembly to approve the plan as a matter of priority, and urges the Government of Cambodia to take concrete action to ensure its speedy and effective implementation;

21. *Urges* the Government of Cambodia to take all appropriate measures to eliminate discrimination against women, including in the political and public life of the country, to combat violence against women in all its forms and to take all steps to meet its obligations as a party to the Convention on the Elimination of All Forms of Discrimination against Women,[8] including by seeking technical assistance;

22. *Notes with appreciation* the use by the Secretary-General of the United Nations Trust Fund for a Human Rights Education Programme in Cambodia to finance the programme of activities of the office in Cambodia of the High Commissioner, as defined in resolutions of the General Assembly and the Commission on Human Rights, and invites Governments, intergovernmental and non-governmental organizations, foundations and individuals to consider contributing funds to the Trust Fund;

---

[8] Resolution 34/180, annex.

23. *Expresses grave concern* at the devastating consequences and destabilizing effects of the use of anti-personnel landmines on Cambodian society, encourages the Government of Cambodia to continue its support and efforts for the removal of these mines, including the work of the Cambodian Mine Action Centre, commends donor countries for their contributions and assistance to the Centre, and urges the Government of Cambodia to give priority to banning all anti-personnel landmines;

24. *Requests* the Secretary-General to report to the General Assembly at its fifty-fourth session on the role of the Office of the United Nations High Commissioner for Human Rights in assisting the Government and the people of Cambodia in the promotion and protection of human rights and on the recommendations made by the Special Representative on matters within his mandate;

25. *Decides* to continue its consideration of the situation of human rights in Cambodia at its fifty-fourth session.

85th plenary meeting
9 December 1998

UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/RES/53/146
8 March 1999

Fifty-third session
Agenda item 110 (*b*)

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[*on the report of the Third Committee (A/53/625/Add.2)*]

53/146. Human rights and extreme poverty

The General Assembly,

Reaffirming the Universal Declaration of Human Rights,[1] the International Covenant on Civil and Political Rights,[2] the International Covenant on Economic, Social and Cultural Rights,[2] and other human rights instruments adopted by the United Nations,

Considering the relevant provisions of the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights on 25 June 1993,[3] and of the Copenhagen Declaration on Social Development and Programme of Action of the World Summit for Social Development, adopted by the World Summit on 12 March 1995,[4]

Recalling its resolutions 47/196 of 22 December 1992, by which it declared 17 October International Day for the Eradication of Poverty, 48/183 of 21 December 1993, by which it proclaimed 1996 International Year for the Eradication of Poverty, 50/107 of 20 December 1995, by which it

---

[1] Resolution 217 A (III).

[2] See resolution 2200 A (XXI), annex.

[3] A/CONF.157/24 (Part I), chap. III.

[4] *Report of the World Summit for Social Development, Copenhagen, 6–12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annexes I and II.

proclaimed the first United Nations Decade for the Eradication of Poverty (1997–2006), 51/97 of 12 December 1996 on human rights and extreme poverty and 52/193 of 18 December 1997, in which it emphasized the follow-up of the Decade,

Recalling also its resolution 52/134 of 12 December 1997, in which it recognized that the enhancement of international cooperation in the field of human rights was essential for the understanding, promotion and protection of all human rights,

Bearing in mind Commission on Human Rights resolutions 1992/11 of 21 February 1992,[5] 1993/13 of 26 February 1993,[6] 1994/12 of 25 February 1994,[7] 1995/16 of 24 February 1995,[8] 1996/10 of 11 April 1996,[9] 1997/11 of 3 April 1997[10] and 1998/25 of 17 April 1998,[11] as well as resolution 1996/23 of 29 August 1996 of the Subcommission on Prevention of Discrimination and Protection of Minorities of the Commission on Human Rights,[12]

Recalling its resolution 47/134 of 18 December 1992, in which it reaffirmed that extreme poverty and exclusion from society constituted a violation of human dignity and stressed the need for a complete and in-depth study of extreme poverty, based on the experience and the thoughts of the poorest people,

Recognizing that the eradication of extreme poverty is a major challenge within the process of globalization and requires coordinated and continued policies,

Recognizing also that, as the existence of widespread extreme poverty inhibits the full and effective enjoyment of human rights and might, in some situations, constitute a threat to the right to life, its immediate alleviation and eventual elimination must remain a high priority for the international community,

Welcoming the appointment, for a period of two years, of an independent expert on the question of human rights and extreme poverty, whose mandate includes, in particular, a contribution to the evaluation in the year 2000 of the World Summit for Social Development and whose work should continue to take into account the efforts of the poorest people themselves and the conditions in which they can convey their experiences,

1. *Reaffirms* that extreme poverty and exclusion from society constitute a violation of human dignity and that urgent national and international action is therefore required to eliminate them;

---

[5] See *Official Records of the Economic and Social Council, 1992, Supplement No. 2* (E/1992/22), chap. II, sect. A.

[6] Ibid., *1993, Supplement No. 3* and corrigenda (E/1993/23 and Corr.2, 4 and 5), chap. II, sect. A.

[7] Ibid., *1994, Supplement No. 4* and corrigendum (E/1994/24 and Corr.1), chap. II, sect. A.

[8] Ibid., *1995, Supplement No. 3* and corrigenda (E/1995/23 and Corr.1 and 2), chap. II, sect. A.

[9] Ibid., *1996, Supplement No. 3* (E/1996/23), chap. II, sect. A.

[10] Ibid., *1997, Supplement No. 3* (E/1997/23), chap. II, sect. A.

[11] Ibid., *1998, Supplement No. 3* (E/1998/23), chap. II, sect. A.

[12] See E/CN.4/1997/2–E/CN.4/Sub.2/1996/41, chap. II, sect. A.

2. *Also reaffirms* that, in accordance with the Vienna Declaration and Programme of Action,[3] it is essential for States to foster participation by the poorest people in the decision-making process in the communities in which they live, in the promotion of human rights and in efforts to combat extreme poverty;

3. *Recognizes* that surmounting extreme poverty constitutes an essential means to the full enjoyment of political, civil, economic, social and cultural rights, and reaffirms the interrelationship between these goals;

4. *Emphasizes* that extreme poverty is a major issue to be addressed by Governments, civil society and the United Nations system, including international financial institutions;

5. *Invites* the United Nations High Commissioner for Human Rights, within the framework of the implementation of the United Nations Decade for the Eradication of Poverty, to continue to give appropriate attention to the question of human rights and extreme poverty;

6. *Notes with appreciation* the specific action taken by the United Nations Children's Fund to mitigate the effects of extreme poverty on children and the efforts of the United Nations Development Programme to give priority to the search for some means of alleviating poverty within the framework of the relevant resolutions, and urges them to continue this work;

7. *Invites* States, United Nations bodies, in particular the Office of the United Nations High Commissioner for Human Rights and the United Nations Development Programme, and intergovernmental and non-governmental organizations to give appropriate attention to the links between human rights and extreme poverty;

8. *Decides* to consider this question further at its fifty-fifth session under the sub-item entitled "Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms".

85th plenary meeting
9 December 1998